

**INITIAL STATEMENT OF REASONS  
FOR  
PROPOSED AMENDMENTS  
OF THE  
DIVISION OF THE STATE ARCHITECT – ACCESS COMPLIANCE  
REGARDING THE  
ADOPTION, AMENDMENT OR REPEAL OF  
CALIFORNIA PLUMBING CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

**STATEMENT OF SPECIFIC PURPOSE AND RATIONAL**

**PART 5 CALIFORNIA PLUMBING CODE**

The 2001 California Plumbing Code incorporates by adoption the 2000 edition of the Uniform Plumbing Code (UPC) of the International Association of Plumbing and Mechanical Officials (IAPMO) with necessary DSA/AC California amendments.

DSA/AC proposes repeal of the 2000 edition of the UPC and adoption of 2003 edition of the UPC with existing necessary CA amendments. DSA/AC amendments are as follows:

**Chapter 1 - ADMINISTRATION**

In 101.4.1.1.3.1 in the Note the acronym of DSA/AC is missing. DSA/AC proposes to include DSA/AC adoption indicator.

In 101.8 (Format) the acronym for the Uniform Plumbing Code is not shown with a period after each letter (UPC). This same sentence is unclear if a specific chapter of the UPC is adopted by DSA/AC.

DSA/AC is amending Section 101.8 by adding periods after each letters within the abbreviation to read “U.P.C.” To make clear specific chapters of the U.P.C. are not adopted by DSA/AC the 2<sup>nd</sup> sentence is amended to indicate that, “such chapter of the U.P.C.” is not adopted by DSA/AC.

In 101.11.9 currently the acronym for Division of the State Architect is incorrect, which reads “DSS/AC...”. DSA/AC is making an editorial correction to read “DSA/AC...” which is the correct acronym for Division of the State Architect-Access Compliance.

In the body of the regulations section 101.4.0 is adopted by DSA/AC, however is not shown in the Matrix Adoption Table. DSA/AC would like to see the Matrix Adoption Table indicated adoption by DSA/AC for section 101.4.0 (Application).

## **Chapter 2 - DEFINITIONS**

The spelling of the definition for ‘*accessability*’ is incorrect and the words ‘*the handicapped*’ are not a proper reference. DSA/AC proposes to make an editorial correction to correct the spelling to read “*accessibility*”, and to change by reference the words “*the handicapped*” to “*persons with disabilities*” to be consistent with definition in Part 2 for clarity and consistency with Chapters 11A and 11B.

## **Chapter 3 – GENERAL REGULATIONS**

DSA/AC’s adoption of the general provisions of UPC Chapter 3 is no longer necessary. DSA/AC proposes to repeal adoption of Chapter 3 because the model code regulations are inconsistent with accessibility regulations in C.C.R., Title 24, Part 2.

## **Chapter 4 – PLUMBING FIXTURES AND FIXTURE FITTINGS**

### **Tables 4-1, 4-2, 4-3 and 4-4**

DSA/AC is proposing to amend existing note in **Table 4-1** to include a cross-reference ‘for DSA/AC requirements for persons with disabilities, referring to the California Code of Regulations, Title 24, Part 2, Chapters 11A and 11B, California Building Code’.

DSA/AC is proposing to adopt a new note #2 in **Table 4-1** and new Note in **Tables 4-2, 4-3 and 4-4**. Existing note in Table 4-1 would be renumbered as Note #1.

DSA/AC is proposing to adopt a Note to provide a cross-reference ‘for DSA/AC with all clarifying notes that ANSI is not adopted and that for DSA/AC to carry out its statutory responsibilities, DSA/AC’s application of California Plumbing Code Tables 4-1 through 4-4 are limited to those applications stated in Section 101.11.9 of this code’.

In **Table 4-1** under ‘**Type of Building or Occupancy (Board of Corrections – Local Detention Facilities - Locked Sleeping Rooms <sup>11</sup>)**’ the reference to Footnote 11 is incorrect. DSA/AC is correcting the footnote to read “... *Locked Sleeping Rooms*<sup>15</sup>.”

In **Table 4-1 (Footnote 2)** cross-reference to **Administrative Authority** is not applicable to DSA/AC. DSA/AC proposes to clarify jurisdictional authority by adding “*[For DSA/AC] authority having jurisdiction*”.

In **Table 4-1 (Footnote 14)** there is an unrelated number 15 shown at the end of the sentence. DSA/AC is proposing to delete the number 15.

In **Table 4-4** under **Bathtubs or Showers Fixtures per Person (Organized Camps)** the ratio of 1 fixture for each 1-156 is incorrect. The number 6 should be a footnote #6. DSA/AC is proposing to correct the ratio to read: “1 1-15<sup>6</sup>”.

## **Chapter 16 – PLUMBING REQUIREMENTS FOR ACCOMMODATION OF PERSONS WITH PHYSICAL DISABILITIES**

In the title the words ‘Persons with Physical Disabilities’ is not a proper title. DSA/AC is proposing to amend the title of Chapter 16 to more appropriately read: *“Plumbing Requirements for Accommodation of Persons with Disabilities.”*

In Section **1601.0 (General)** the text, Note and Exceptions 1 and 2 are not necessary because the plumbing requirements for accommodation of persons with disabilities in public accommodations, commercial buildings, and publicly funded owned or leased housing are located in CCR, Title 24, Part 2.

To avoid any conflict, duplication or overlap of plumbing regulations the provisions under Section 1601.0, Note and Exceptions 1 and 2 are deleted. Only the remaining cross-reference to Exception 3 will be retained and changed to a Note. This Note is amended to make editorial corrections to be consistent with changes made in the title of Chapter 16. The cross-references to 1115B.2.0 through 1115B.1.1.20’ are incorrect. DSA/AC proposed to correct cross-references to read *“1115B and 1117B.”*

## **TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS**

DSA/AC is relying on the 2003 edition of the Uniform Plumbing Code (UPC).

## **CONSIDERATION OF REASONABLE ALTERNATIVES**

The DSA/AC has determined that there are no other reasonable alternatives considered that would be more appropriate in carrying out the purpose for which these plumbing requirements for accessibility are proposed or would be effective and less burdensome to affected private persons than the proposed access compliance regulations.

## **REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.**

The DSA has made an initial determination that the proposed regulatory actions are changes which do not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element of Title 24 and would not have a significant adverse economic impact on businesses.

## **FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS.**

These regulations are intended to provide plumbing requirements for accessibility. The DSA has made a determination that the proposed regulatory actions are changes which do not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element of Title 24 and would not have an impact on business.

## **DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS: None**

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